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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,568	09/22/2006	Peter L. Pela	097229/0067	3902
26610 7590 08/26/2008 STROOCK & STROOCK & LAVAN LLP 180 MAIDEN LANE NEW YORK, NY 10038				
EXAMINER ABRISHAMKAR, KAVEH				
ART UNIT 2131		PAPER NUMBER		
MAIL DATE 08/26/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/551,568

Applicant(s)

PELA, PETER L.

Examiner

KAVEH ABRISHAMKAR

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CIS-100)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 9/30/2005

DETAILED ACTION

1. This action is in response to the communication filed on September 30, 2005. Claims 1-22 were originally received for consideration. No preliminary amendments regarding the claims was received.
2. Claims 1-22 are currently pending consideration.

Information Disclosure Statement

3. A dated and initialed copy of Applicant's IDS form 1449, received on 9/30/2005, is attached to this Office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8, 11-14, 17, 21, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Ensor et al. (U.S. Patent 5,721,780).

Regarding claim 1, Ensor discloses:

A method for providing security to a computer network by monitoring the physical location of a network login or login attempts said method comprising:

associating a workstation to a physical location (column 3, lines 1-17: *identifiable coupling*);

associating a network user to said workstation (column 3, lines 1-17, 62-67);

monitoring a computer network to determine a network login or attempted login of said user (column 4, lines 51-59);

determining a physical location of said login or attempted login (column 4, lines 56-60);

determining whether said user is authorized to access said network from said physical location of said login or attempted login (column 5, lines 3-21).

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Ensor discloses:

The method of claim 1, further comprising determining whether preventive action is necessary and, if so, automatically initiating preventive action (column 5, lines 41-53).

Claim 3 is rejected as applied above in rejecting claim 2. Furthermore, Ensor discloses:

The method of claim 2, wherein said preventive action comprises generating an alert (column 5, lines 41-53).

Claim 4 is rejected as applied above in rejecting claim 2. Furthermore, Ensor discloses:

The method of claim 2, wherein said preventive action comprises disconnecting said workstation from said network (column 5, lines 50-53).

Claim 5 is rejected as applied above in rejecting claim 2. Furthermore, Ensor discloses:

The method of claim 2, wherein said preventive action comprises generating a notification message that said user is accessing said computer network from an unauthorized location (column 5, lines 41-53).

Claim 6 is rejected as applied above in rejecting claim 1. Furthermore, Ensor discloses:

The method of claim 1, further comprising storing information regarding said physical location of said login or attempted login (column 5, lines 54-60).

Claim 7 is rejected as applied above in rejecting claim 1. Furthermore, Ensor discloses:

The method of claim 1, further comprising storing information regarding said workstation associated with said login or attempted login (column 5, lines 54-60).

Claim 8 is rejected as applied above in rejecting claim 7. Furthermore, Ensor discloses:

The method of claim 7, wherein said workstation information includes one or more of the following types of information:

an IP/MAC address of said workstation, a date and time of each login attempt, a date and time of each successful login, login type description, network security agent, domain address, information regarding which network resources were accessed, server identification, the number of login attempts, host name data, jack or outlet information, port identification, or any other circuit trace information (column 4, lines 51-60).

Claim 11 is rejected as applied above in rejecting claim 1. Furthermore, Ensor discloses:

The method of claim 1, further comprising associating said user with a workstation (column 3, lines 1-17, 62-67).

Regarding claim 12, Ensor discloses:

A method for providing security to a computer network by monitoring a network login or login attempt from a particular workstation, said method comprising:

associating a workstation to a physical location (column 3, lines 1-17: *identifiable coupling*);

associating a network user to said workstation (column 3, lines 1-17, 62-67);

monitoring a computer network to determine a network login or attempted login of said user (column 4, lines 51-59);

determining which workstation said login or attempted login is generated from (column 4, lines 56-60);

determining whether said user is authorized to access said network from said workstation of said login or attempted login (column 5, lines 3-21).

Regarding claim 13, Ensor discloses:

A network security system for a plurality workstations coupled via a local area network, said network said security system comprising:

electronic storage for associating said workstations to a user and a physical location (column 3, lines 1-17, 62-67); and

one or more processors for receiving login information from said workstations and accessing said electronic storage to determine whether said user or said workstation is authorized to login to said network from said physical location (column 5, lines 3-21).

Claim 14 is rejected as applied above in rejecting claim 13. Furthermore, Ensor discloses:

The system of claim 13, wherein said one or more processors generates an alert based said determination (column 5, lines 41-53).

Claim 17 is rejected as applied above in rejecting claim 14. Furthermore, Ensor discloses:

The system of claim 14, wherein said alert comprises a termination signal (column 5, lines 50-53).

Regarding claim 21, Ensor discloses:

Computer readable medium having computer readable code for causing one or more processors to:

associating a workstation to a physical location (column 3, lines 1-17: *identifiable coupling*);

associating a network user to said workstation (column 3, lines 1-17, 62-67);
monitoring a computer network to determine a network login or attempted login of said user (column 4, lines 51-59);
determining a physical location of said login or attempted login (column 4, lines 56-60);
determining whether said user is authorized to access said network from said physical location of said login or attempted login (column 5, lines 3-21).

Regarding claim 22, Ensor discloses:

A network security system for a plurality workstations coupled via a local area network each workstation being associated with a specific user and coupled to one of a plurality of data ports of a patch panel, said patch panel being coupled to a computer network, said security system comprising:

a workstation associated with a physical location and a user (column 3, lines 1-17: *identifiable coupling*);

a monitoring device for determining a network login or attempted login of said user, a device for determining a physical location of said login or attempted login (column 4, lines 56-60);

wherein said system determines whether said user is authorized to access said network from said physical location of said login or attempted login (column 5, lines 3-21).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-10, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ensor et al. (U.S. Patent 5,721,780) in view of Kondo et al. (U.S. Patent 5,684,957).

Claims 9-10 are rejected as applied above in rejecting claim 1. Ensor does not explicitly disclose generating an event log. Kondo discloses generating an event log that comprises information about the physical location of the login attempt (Kondo: column 17, lines 36-53). It would have been obvious to use the event log of Kondo to log the physical information of the user making the login attempts to "provide an early detection of an unauthorized entry from inside" (Kondo: column 4, lines 60-67).

Claims 18-20 are rejected as applied above in rejecting claim 14. Ensor does not explicitly disclose generating an event log. Kondo discloses generating an event log that comprises information about the physical location of the login attempt (Kondo: column 17, lines 36-53). It would have been obvious to use the event log of Kondo to log the physical information of the user making the login attempts to "provide an early detection of an unauthorized entry from inside" (Kondo: column 4, lines 60-67).

Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ensor et al. (U.S. Patent 5,721,780) in view of Day (U.S. Patent 6,311,274).

Claims 15-16 are rejected as applied above in rejecting claim 14. Ensor does not explicitly disclose that the alert comprises an email notification or by sending a pager notification. Day discloses that an alert action can comprise sending an email message and/or sending a message to a pager (Day: column 5, lines 33-37). It would have been obvious to use these methods of issuing an alert in the system of Ensor to "provide assurance that the purported source of an alert message is a true source" (Day: column 1, lines 51-55).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAVEH ABRISHAMKAR whose telephone number is (571)272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kaveh Abrishamkar/
Examiner, Art Unit 2131

/K. A./
08/21/2008
Examiner, Art Unit 2131